

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
UNITED STATES OF AMERICA,)	
)	
)	
vs.)	CRIMINAL ACTION
)	NO. 05-1649-CBS
ROBERT DENMARK,)	
a/k/a Darrick Scrubb,)	
Defendant,)	
_____)	

ORDER OF DETENTION
March 4, 2005

SWARTWOOD, C.M.J.

I. Nature Of The Offense And The Government's Motion

On March 2, 2005, a Criminal Complaint was filed charging Robert Denmark, a/k/a Darrick Scrubb ("Mr. Denmark"), with illegal re-entry after having previously been deported from the United States, in violation of 18 U.S.C. §1326A.

At Mr. Denmark's initial appearance in connection with this Complaint on March 4, 2005, he was advised of his right to a preliminary examination in accordance with Fed. R. Crim. P. 5.1 and the Government moved for a detention hearing in accordance with 18 U.S.C. §3142(f)(2)(A)(risk of flight).

At this initial appearance, Mr. Denmark waived his right to a probable cause hearing and assented to an Order of Detention, but reserved his right to a detention hearing in the future.

II. Order of Detention Pending Trial

In accordance with the foregoing memorandum,

IT IS ORDERED:

1. That Mr. Denmark be committed to the custody of the Attorney General or his designated representative, for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal;

2. That Mr. Denmark be afforded a reasonable opportunity for private consultation with counsel; and

3. On order of a court of the United States or on request by an attorney for the Government, the person in charge of the corrections facility in which Mr. Denmark is detained and confined shall deliver Mr. Denmark to an authorized Deputy United States Marshal for the purpose of any appearance in connection with a court proceeding.

RIGHT OF APPEAL

THE PERSON OR PERSONS DETAINED BY THIS ORDER MAY FILE A MOTION FOR REVOCATION OR AMENDMENT OF THE ORDER PURSUANT TO 18 U.S.C. § 3145 (b) .

/S/CHARLES B. SWARTWOOD, III
CHARLES B. SWARTWOOD, III
CHIEF MAGISTRATE JUDGE